

3731

PC401.01:DAC:152464

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/694.521
Filing Date	October 23, 2000
First Named Inventor	George Frey et al.
Group Art Unit	3731
Examiner Name	
Total Number of Pages in this Submission	Attorney Docket Number 4002-2512 (PC401.01)

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ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
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| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input type="checkbox"/> Additional Enclosure (please identify below) |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Return Receipt Postcard |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Small Entity Statement | X 21 cited refs. |
| <input type="checkbox"/> Certified Copy of Priority Documents | <input type="checkbox"/> Request for Refund | X Copy of Written Opinion |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Douglas A. Collier WOODARD EMHARDT NAUGHTON MORIARTY & MCNETT
Signature	<i>Douglas A. Collier #43,556</i>
Date	December 19, 2001

Certificate of Mailing

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Signature				



DNK-09-083-PA:DAC:152450

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re patent)	
application of:)	Before the Examiner
)	
George Frey et al.)	
)	
Serial No. 09/694,521)	
)	Group Art Unit 3731
Filed October 23, 2000)	
)	
DEVICES AND TECHNIQUES FOR)	
POSTERIOR LATERAL DISC SPACE)	December 19, 2001
APPROACH)	

#5

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R § 1.56 and 1.98,
Applicant discloses the following references on the attached Information Disclosure
Citation Form. This information has not been previously submitted in this application by
the applicants.

The filing of this information Disclosure Statement shall not be construed as an
admission that the information cited is, or is considered to be, material to patentability as
defined in §1.56 or that any information cited is prior art to the present invention.

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Douglas A. Collier
Name of Registered Representative

Douglas A. Collier
Signature

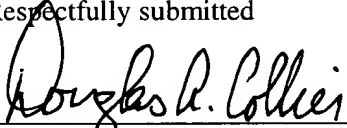
December 19, 2001
Date of Signature

The foreign language reference marked with an * was cited with respect to claims 20 and 35 in a Written Opinion received in the present application's counterpart PCT Application US/00/41433. A copy of this Written Opinion is enclosed herewith to comply with the requirement for a concise statement of the relevance of this foreign language reference under 37 C.F.R. 1.98(a)(3).

This Statement is being submitted before the mailing of a First Office Action on the merits, therefore no fees are believed due for consideration of the enclosed references. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted

By: _____


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